

STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Suspension or Revocation)	NO. CR 2014-01988
of the License to Conduct Gambling)	
Activities of:)	
)
Ronald Bruneau)	NOTICE OF ADMINISTRATIVE
East Wenatchee, Washington,)	CHARGES AND OPPORTUNITY FOR
)
Licensee.)	AN ADJUDICATIVE PROCEEDING

I.

The Washington State Gambling Commission issued Ronald Bruneau the following license:

Number 68-25719, authorizing Card Room Employee activity, formerly with the Buzz Inn Casino in East Wenatchee.

The license expires on September 16, 2015, and was issued subject to Mr. Bruneau's compliance with state gambling laws and rules.

II.

David Trujillo, Director of the Washington State Gambling Commission, charges the licensee with the following violations of Chapter 9.46 RCW, and WAC Title 230.

SUMMARY:

Ronald Bruneau under-reported \$380 in tips between July 8, 2014, and July 15, 2014.

FACTS:

- 1) On July 16, 2014, a Washington State Gambling Commission Special Agent (agent) began a tip reporting review at the Buzz Inn Casino. The review was a follow-up to the initial tip review conducted in the summer of 2013, when Buzz Inn card room employees (CREs) had previously under-reported their tips.
- 2) Buzz Inn Casino CREs are required to sign a tip procedure statement, acknowledging the requirement to report 100% of their earned tips. According to Buzz Inn Casino's internal controls, CRE's are responsible for entering their daily tips into the time clock system when they clock out at the end of their shift. The tip entries are then processed through the Buzz Inn Casino's payroll system, and entries can be reviewed on the payroll report titled "Labor Report."

3) Alycia Williams, Buzz Inn Casino accounting manager, provided the agent with the Labor Report for week of July 7, 2014 - July 15, 2014. The report shows the daily tips entered for each CRE.

4) The agent reviewed the Labor Report tip entries for Ronald Bruneau, a dealer, for the following four-day work period:

- July 8, 2014;
- July 13, 2014;
- July 14, 2014; and
- July 15, 2014.

Mr. Bruneau reported a total of \$300 in tip income. The cage log and surveillance video shows Mr. Bruneau actually cashed-out \$680 in tip income for these four days, under-reporting his tips by \$380. The agent obtained a copy of Buzz Inn Casino's tip reporting procedures signed by Mr. Bruneau.

5) The agent met with Mr. Bruneau on July 30, 2014, to explain his findings. Mr. Bruneau had under-reported his tip income by more than 55%. The agent provided copies of WAC 230-15-475 and WAC 230-03-085 and pointed out that he is required to accurately report his tips. Mr. Bruneau indicated he understood the requirements for tip reporting.

6) On September 22, 2014, the agent met with Mr. Bruneau and issued him a \$200 Notice of Violation and Settlement (NOVAS¹).

7) On October 12, 2014, the agent received notification that Mr. Bruneau had not paid his NOVAS fine.

8) On October 14, 2014, the agent visited the Buzz Inn Casino and spoke with the gaming manager. Mr. Bruneau was still working as a dealer on an on-call basis. The gaming manager spoke to Mr. Bruneau and informed him that the agent had extended the deadline to October 17, 2014, to pay the fine. Mr. Bruneau said he would pay the fine by the extended deadline.

9) On October 22, 2014, the agent verified Mr. Bruneau had failed to pay his fine.

VIOLATIONS:

1) RCW 9.46.075 Denial, suspension, or revocation of license, application, or permit

The Commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or certified employee, or any person with any interest therein:

(The following subsection applies.)

¹ NOVAS –A Notice of Violation and Settlement identifies the violation and gives the licensee the opportunity to pay a fine to settle the matter.

(1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

2) WAC 230-03-085 Denying, suspending, or revoking an application, license or permit

We may deny, suspend, or revoke any application, license or permit, when the applicant, certified employee, or anyone holding a substantial interest in the applicant's or certified employee's business or organization:

(The following subsections apply.)

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

(3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level.

(8) Poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities, as demonstrated by: (a) Prior activities; or (d) Habits.

3) WAC 230-15-425 Internal controls

(The following subsection applies.)

(2) Licensed card room employees must follow the internal control procedures for their individual functions.

4) WAC 230-15-475 Tips from players and patrons to card room employees

(The following subsection applies.)

(6) Employees must...

(d) accurately report all tips to their employer as described in the licensee's internal controls.

Ronald Bruneau signed a tip reporting statement from Buzz Inn Casino, acknowledging he was required to report all of his tips. However, Mr. Bruneau willfully failed to comply with internal control procedures by not accurately reporting his tips, in violation of WAC 230-425 and WAC 230-15-475. As a result the licensee poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities based on his activities. Therefore, there are grounds to suspend or revoke Ronald Bruneau's license based on RCW 9.46.075(1), and WAC 230-03-085(1), (3) and (8).

///

///

III.

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230.

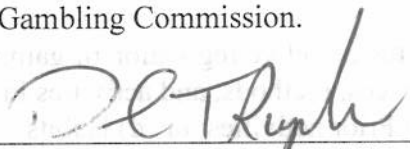
The licensee will have the opportunity to have a hearing on the alleged violations.

In order to have a hearing or discuss settlement options, the enclosed request for hearing must be completed and returned to the Gambling Commission **within 23 days** from the date of the mailing of this notice.

Based on RCW 34.05.440, failure to return a request for hearing will result in the entry of a default order REVOKING YOUR LICENSE.

IV.

I have read this Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding, know the contents of it, believe it to be true, and have executed this Notice in my capacity as Director of the Washington State Gambling Commission.


DAVID TRUJILLO, DIRECTOR 11-25-2014
(Date)

STATE OF WASHINGTON)
COUNTY OF THURSTON)

I certify I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy, properly addressed with postage prepaid, by regular and certified mail to each party to the proceeding or his or her attorney or authorized agent.

Dated at Olympia, Washington this 21st day of November, 2014.

